

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY Region 1 5 Post Office Square, Suite 100 BOSTON, MA 02109-3912

Pine duBois Executive Director Jones River Watershed Association Jones River Landing 55 Landing Road PO Box 73 Kingston, MA 02364

Re:

Pilgrim Nuclear Power Station - National Marine Fisheries Service Endangered Species

Act Consultation with the Nuclear Regulatory Commission

Dear Ms. duBois:

Thank you for forwarding an electronic copy of the letter that the Jones River Watershed Association (JRWA) sent to the National Marine Fisheries Service (NMFS), dated February 6, 2012, regarding the Nuclear Regulatory Commission (NRC) re-licensing of the Pilgrim Nuclear Power Station (PNPS).

I appreciate you meeting briefly with David Webster and Sharon DeMeo of my staff on Wednesday, March 7th to provide an update on your actions stemming from your concerns for the aquatic species in the area of PNPS. These concerns are well articulated in your letter of February 6, 2012.

EPA receives periodic environmental monitoring reports and discharge monitoring reports from PNPS as required by the Station's current NPDES permit. These data will play an important role in shaping the requirements of the next NPDES permit for PNPS. The concerns and information you have raised are being considered as we prioritize our work at EPA.

Please contact me or David Webster at (617) 918-1791 if you have any further questions or concerns regarding the PNPS NPDES permitting process.

Sincerely,

cc:

H. Curtis Spalding Regional Administrator USEPA Region 1

Daniel Morris, Acting Regional Administrator, Northeast Region, National Marine

Fisheries Service



Re: Fw: Request meeting to discuss regulatory action on Pilgrim Nuclear Power Station

David Webster to: John Nagle Cc: Sharon DeMeo, Damien Houlihan

03/27/2012 12:39 PM

Thanks, John. I have all I need for now.

John Nagle

I spoke with Gerry Szal last week. I asked him how the meeting between Mass..

03/27/2012 09:28:59 AM

From:

John Nagle/R1/USEPA/US

To:

David Webster/R1/USEPA/US@EPA

Cc:

Sharon DeMeo/R1/USEPA/US@EPA, Damien Houlihan/R1/USEPA/US@EPA

Date:

03/27/2012 09:28 AM

Subject:

Re: Fw: Request meeting to discuss regulatory action on Pilgrim Nuclear Power Station

I spoke with Gerry Szal last week. I asked him how the meeting between MassDEP and the Jones River Watershed Association went regarding Pilgrim Station. He told me that he met for some time with his boss and prepped her on all the issues at Pilgrim, but he was not invited to the meeting.

JHN

David Webster

Found it. Thanks. It's below. Sorry for the confusion in the voice mail mistakenl...

03/27/2012 09:20:17 AM

From:

David Webster/R1/USEPA/US

To:

John Nagle/R1/USEPA/US@EPA, Sharon DeMeo/R1/USEPA/US@EPA, Damien Houlihan/R1/USEPA/US@EPA

Date:

03/27/2012 09:20 AM

Subject:

Fw: Request meeting to discuss regulatory action on Pilgrim Nuclear Power Station

Found it. Thanks. It's below. Sorry for the confusion in the voice mail mistakenly saying "PSNH."

---- Forwarded by David Webster/R1/USEPA/US on 03/27/2012 09:18 AM -----

From:

Pine duBois <pine@ionesriver.org>

To:

Curt Spalding/R1/USEPA/US@EPA, David Webster/R1/USEPA/US@EPA, Ken Kimmell < Ken.Kimmell@state.ma.us>, Beth Card

<b

Freedhoff < Michal. Freedhoff@mail.house.gov>

Date:

03/20/2012 01:49 PM

Subject:

Request meeting to discuss regulatory action on Pilgrim Nuclear Power Station

Dear All:

We are writing to request joint meeting with each of you as soon as possible with regard to the outstanding violations of numerous state and federal environmental laws by Entergy Corporation in connection with its current operations of the Pilgrim Nuclear Power Station, and plans to operate for another 20 years. As you know, Entergy's operating license for PNPS expires June 8, 2012, and the NRC is likely to relicense any day.

We are gravely concerned about the inaction by state and federal regulators with regard to the continuing negative impacts on the state's natural resources from Entergy's once through cooling system and process water operations. A detailed description of these violations is beyond the scope of this memo, but we have discussed them with most of you. As DEP informed us when we met almost 3 weeks ago, the PNPS original NPDES permit in the 1970s required closed loop cooling. Entergy's predecessor mounted a legal challenge, and has been using once through cooling for 40 years. Entergy's NPDES permit expired 16 years ago. Entergy sued in attempt to stop the state from enforcing water quality standards, delaying implementation from 2006 to the present.

PNPS's impacts on the state's water quality and natural resources is more extensive than that of any other industrial user in the state of which we are aware.

We have met with most of you, or your staff, in a spirit of cooperation and to share the results of our extensive legal and factual research. We have kept you informed of the legal challenges we have filed with the NRC under the Endangered Species Act, Magnuson Stevens Fisheries Act, and NEPA. These challenges highlight how enforcement of state and federal laws have allowed Entergy to continue "business as usual" in an environmentally

destructive manner that has gone unchallenged by state and federal regulators for decades.

As you may be aware, citizen concern in connection with the relicensing of PNPS is widespread and growing. Massive fish kills of river herring, menhaden and other species, impacts on the food supply for endangered whales and marine mammals, and likely leaks of radioactive groundwater into Cape Cod Bay are all issues fueling a grassroots backlash.

We believe a meeting of state and federal regulators, and the Attorney General's office is critical at this juncture. It is both time consuming and inefficient for us to continue individual discussions with each of your offices. Moreover, it allows for continued triangulation and "passing the buck."

We seek a meeting in the spirit of cooperation to discuss possible options for state action and/or engagement on this issue so that Massachusetts' citizens can be assured that their environmental laws are being implemented to prevent the further destruction of our natural resources.

We propose the following dates for meeting:

Any day, March 26 through 30, 9 a.m. to 5 p.m. We will make ourselves available at your convenience.

Please RSVP to Pine, below, with your response to this request.

Very Sincerely,

Pine duBois

Jones River Watershed Association

Executive Director

Jones River Landing

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Kingston, MA 02364

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781-424-0353 (m)

www.jonesriver.org

pine@jonesriver.org

Meg Sheehan, Volunteer, JRWA

Anne Bingham, Attorney, JRWA